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Hearing Date: February 4, 2009
Hearing Time: 10:00 AM (EST)
Objection Deadline: January 30, 2009

*Attorneys for Irving H. Picard, Esq.,
Trustee for the SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)
SIPA Liquidation

**NOTICE OF TRUSTEE'S MOTION PURSUANT TO SECTIONS 105(a) AND 365(a) OF
THE BANKRUPTCY CODE AND BANKRUPTCY RULE 6006 SEEKING AUTHORITY
TO REJECT EXECUTORY CONTRACTS ON A *NUNC PRO TUNC* BASIS**

PLEASE TAKE NOTICE that a hearing on the attached motion (the "Motion") will be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, on February 4, 2009 at 10:00 a.m. (EST), or as soon thereafter as counsel may be heard, at the United States Courthouse, One Bowling Green, Courtroom 623, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief sought in the Motion shall be in writing, state with particularity the basis for the objection, and be filed with the Bankruptcy Court in accordance with General Order #462 by users of the Bankruptcy Court's case filing system, and by all other parties, on a 3.5 inch disk, with a hard copy to Chambers, and served in accordance with General Order #462 and upon: (a) Baker & Hostetler LLP, attorneys for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Douglas E. Spelfogel and Richard J. Bernard; and (b) Securities Investor Protection Corporation, 805 Fifteenth Street, NW, Suite 800, Washington, DC 20005, Attn: Kevin H. Bell, Esq., so as to be received no later than January 30, 2009. Any such objection shall state with specificity the reason or reasons why the relief sought in the Motion should not be granted.

Dated: New York, New York
January 21, 2009

Respectfully submitted,

/s/ Richard J. Bernard

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